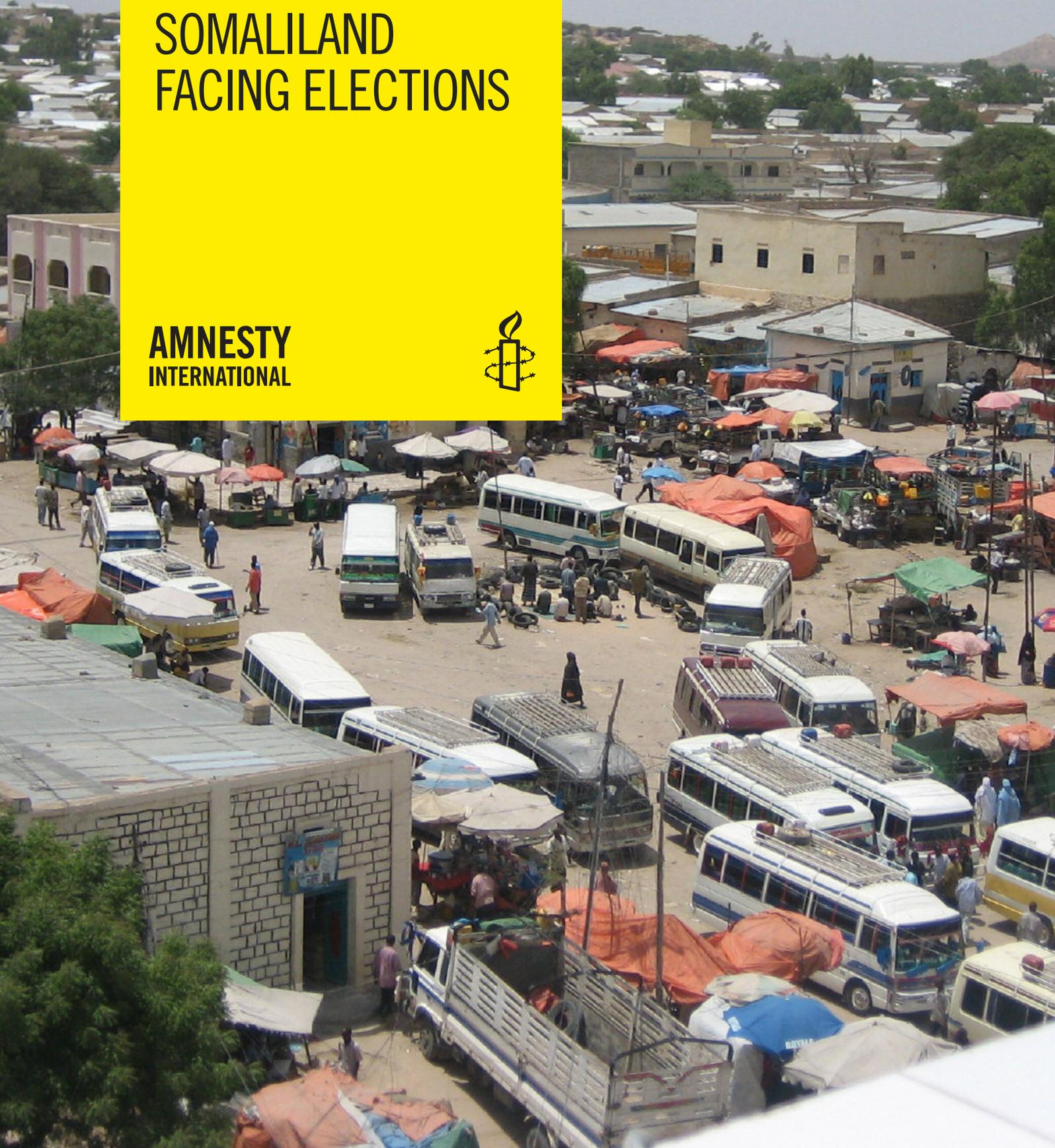


HUMAN RIGHTS CHALLENGES

SOMALILAND FACING ELECTIONS

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Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights. Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards. We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.

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Cover photo: A view of the central market, Hargeisa, August 2006.

Back cover top: A bridge in central Hargeisa, December 2007.

Equal justice under the law is not yet a reality for all Somalis in Somaliland.

Back cover bottom: Meeting of the Somaliland Council of Elders (the Upper House of Parliament), June 2006.

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1. INTRODUCTION

In the lead up to, during and after the upcoming presidential and local elections, scheduled for 2009, both the Government of Somaliland and the international community should pay greater attention to the overall human rights situation in Somaliland and consider ways to protect human rights.

Amnesty International delegates travelled to Hargeisa, capital of the self-declared Republic of Somaliland, in December 2007. They collected information on human rights violations in Somaliland, and interviewed displaced persons from southern and central Somalia. Amnesty International has continued to monitor and document the human rights situation. This report offers recommendations to improve the respect, protection and promotion of human rights in Somaliland.

For more than a decade the Government of Somaliland has maintained relative stability throughout the territory it controls. It has carried out local, parliamentary and presidential elections, while serious violations of human rights and humanitarian law, lack of governance, ongoing armed conflict and recurrent humanitarian crises have characterized conditions for civilians throughout southern and central Somalia.

However, the Government of Somaliland has yet to firmly establish the respect, protection and promotion of specific human rights, such as those ensuring freedom of expression, including press freedom, and freedom of assembly and association. Some events taking place in 2007 and 2008 indicated a tendency to roll back respect for human rights on national security grounds.

Actions taken by government officials that have violated or threatened human rights in Somaliland have included: the arbitrary arrest and detention of journalists and opposition political leaders; unfair trials; non-transparent and unlawful conduct of National and Regional Security Committees; and unnecessary restrictions on freedom of expression, particularly with regard to the media. There have also been periodic reports of violations committed against civilians by Somaliland as well as Puntland forces in armed conflict against one another in and around Las Anod in Sool and Las Qorey in Sanaag, in eastern Somaliland.

Several of these concerns were at least partially resolved by January 2008, including the release of three opposition party leaders from prison; the non-enforcement of an expulsion order against Somali journalists from Mogadishu; and a government commitment to provide emergency and development assistance in eastern Somaliland to address the economic disparity fueling human rights abuses in that area. Other violations, however, have continued.

Somaliland's government diplomacy is aimed at securing international support for the recognition it has sought since unilaterally declaring independence from Somalia in 1991 after the fall of Somalia's President, Major General Siad Barre. Since the Government of Somaliland has demonstrated sensitivity to human rights concerns in the past, possibly based on its quest for recognition, governments engaged in the region and international organizations could help to ensure that human rights are respected and protected, and perpetrators of violations are brought to justice, including by exerting influence with the Government of Somaliland.

2. BACKGROUND

Clan elders and leaders of the northern Somali National Movement (SNM) unilaterally declared Somaliland's independence from Somalia on 18 May 1991, after the SNM and other armed groups toppled the government of then-President Siad Barre.

Somaliland (the former British Protectorate of Somaliland) had united with southern Somalia (former Italian Somaliland) to form the Somali Republic in 1960. After a military coup that overthrew the elected government in 1969, widespread human rights violations took place against the people of Somalia, carried out by Siad Barre's Somali National Army (SNA) and other security forces, particularly in the northwest of the country. These violations laid the foundation for the re-separation of Somaliland along former colonial borders in May 1991, when local leaders declared Somaliland independent, claiming the people's right to self-determination.¹ While Somalia descended into nearly two decades of political and criminal violence, Somaliland established a new government in the north. The self-declared independence of Somaliland has to date not been recognized by any government or international body.

The first administration of Somaliland, under its first President Abdurahman Ahmed Ali Tuur, ran from 1991-1993 and attempted to establish a power-sharing system among the northern clans. In 1992 and from 1994 to 1996 Somaliland endured its own internal armed conflicts, based on unresolved clan rivalries and problems with power-sharing. But beginning in 1993, under the administration of President Mohamed Ibrahim Egal, a series of traditional gatherings were held to build reconciliation, security, state formation, and a constitution. Somaliland has since established an executive and judiciary, and a bicameral parliament divided between a House of Elders, known as the *Guurti*, and an elected Lower House, combining democratic and traditional means of governance.

Increased stability has encouraged the gradual return to Somaliland of upwards of 100,000 refugees who fled during the Somali civil war (1988-91) and the two subsequent conflicts in Somaliland. However, on 29 October 2008 three suicide bomb attacks were carried out in Hargeisa, simultaneous with an attack in Bossaso in the Somali region of Puntland.² In Hargeisa more than 20 civilians were killed and more than 30 injured when three separate cars drove into compounds housing the president's residence, UN Development Programme offices, and the Ethiopian trade mission, with the last location suffering the worst damage and the greatest number of casualties.³ The October attacks have been widely interpreted both as spill-over from armed attacks by extremist opposition groups that characterize conditions in Somalia, and reaction to Somaliland's economic and diplomatic relationship with Ethiopia and western governments.

The current president, Dahir Riyale Kahin, assumed office when President Egal died suddenly in 2002. President Riyale was then elected in 2003 by a slim margin in an election regarded by international observers, including the European Union, as largely free and fair. The next presidential elections are scheduled for late March 2009, with wide expectation that they could be further delayed in part due to delays in the voter registration process. Local elections are currently slated to follow the presidential election in late 2009.

Amnesty International has been monitoring, reporting on and promoting human rights in Somaliland since 1991, with an emphasis on minority rights, prisoners of conscience, and capacity-building among emerging civil society organizations in the capital Hargeisa and other parts of Somaliland.

In mid 2007, Amnesty International began receiving reports that space for civil society activity in Somaliland was shrinking—due in part to inappropriate government involvement in a dispute between members of the formerly prominent Somaliland Human Rights Organization Network (SHURO-Net), and in part to government actions to curtail the activities of the political association known as *Qaran* (“the nation”), which at that time sought to become a fourth political party.

In the words of one human rights defender, “the government succeeded in its strategy of ‘you are either with me or against me.’” This puts civil society organizations in an awkward position in which they fear that if they voice their concerns the government would close the organizations.”

The ongoing use of the National Security Committee and Regional Security Committees, exercising extra-judicial powers, has diminished the rule of law as carried out by an already weak, under-resourced and multi-level judicial system. It has been reported that these committees have authorized the unlawful arrest and detention of some individuals, including several journalists in 2007. They have also ordered the arrest of others held without trial in incommunicado detention on national security grounds.

3. SECURITY COMMITTEES, FORCED RETURNS AND UNLAWFUL DETENTIONS

While Somaliland government officials have expressed reasonable concern over the 2008 suicide bomb attacks and other security-related matters, they have also on occasion attempted to use such concerns to justify arbitrary arrest, detention without charge or trial, and surveillance of members of civil society.⁴ In addition, in January 2009, Somaliland's cabinet was reported to have unanimously approved a new anti-terror law, but neither the specifics of its content nor the process of parliamentary approval had been made clear at the time of writing of this report.

A. SECURITY COMMITTEES

The Government of Somaliland continues to utilize its National Security Committee and Regional Security Committees (NSC and RSCs), regularized in the late 1990s, for the purposes of maintaining domestic security and carrying out arrests and detentions, without the normal oversight of national justice mechanisms. The National Security Committee is chaired by the Minister of the Internal Affairs whereas the Regional Security Committees are chaired by regional governors, who are appointed by the Minister of Internal Affairs. Regional and district-level security committees are comprised of governors, mayors, police chiefs, and local security officials. These Security Committees are ostensibly authorized under and loosely based on the Public Order Law of 1963 and the Somali penal code carried over from the Republic of Somalia under Siad Barre. The use of the Security Committees was challenged by the Lower House of Parliament in a resolution in 1999, but although parliamentarians have condemned the extra-judicial powers of these Committees, no further action has been taken to review their legitimacy or curtail their use.

An undetermined number of individuals have been arrested and detained under the authority of Somaliland's non-transparent National and Regional Security Committees, exercising extra-judicial powers, with a notable increase in reports of such arrests since the suicide bomb attacks of October 2008. By some accounts those detained by the National and Regional Security Committees could comprise more than a quarter of detainees throughout the territory. Information provided to Amnesty International indicates that a significant percentage of prisoners currently detained in Mandhera Prison, some 90 km outside Hargeisa, were arrested under NSC or RSC authority, bypassing Somaliland's formal justice mechanisms entirely.

Detainees have generally been held for periods of six months to a year without charge or trial, with some held for more than three years, in clear violation of Somaliland's Constitution and of the provisions of the International Covenant on Civil and Political Rights (ICCPR). It has also been reported that some prisoners, presumed to have been detained on the authority of National and Regional Security Committees, are detained incommunicado in Somaliland prisons while on remand awaiting trial.

The Universal Declaration of Human Rights (UDHR) provides the right to liberty (Article 3) and security of person and the right not to be arbitrarily arrested or detained (Article 9), as well as the right to the presumption of innocence and fair trial (Article 11). Under the ICCPR, “Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law” (Article 9). Article 14 sets out the right to fair trial, including the principle that “Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law,” and it sets out essential minimum procedural safeguards in this regard. Somaliland has a legal obligation under Article 10 of its Constitution to respect the UDHR and to comply with the ICCPR.

Somaliland’s legal obligations to respect, protect and promote human rights, as stated in its Constitution, also include: the right to liberty, and freedom from arbitrary arrest and detention (Article 25), presumption of innocence (Article 26), and rights to legal representation, the guarantee of appearance in court within 48 hours after arrest and limits on pre-trial detention, and detention only in locations determined by law (Article 27).

The process of bringing Somaliland’s laws into conformity with its Constitution is ongoing, and the Supreme Court is deemed the ultimate arbiter over constitutional and other legal disputes. But the Supreme Court has to date lacked the capacity to carry out such functions.⁵ In 2004, both opposition political parties reportedly wrote to the Supreme Court expressing concern about the activities of the Security Committees but received no response. In 2007 the Supreme Court reportedly refused to accept a case on behalf of nine individuals detained by Regional Security Committees, which challenged the legality of those committees’ actions.

Even if the Public Order Law of 1963 is considered valid in Somaliland, it would only allow authorities to enforce public order under current laws—including constitutional and international human rights provisions with regard to lawful arrests, detentions and trials. Even if the Government were to officially declare a state of emergency, which to date it has not done, such a state of emergency and specific measures taken under it should be subject to the strict conditions imposed by international human rights standards and the Constitution, including the presentation of emergency decrees to both houses of parliament for ratification, and quarterly reviews. Moreover, the constitutional provision of article 10 would mean that Somaliland would have to comply with the procedural requirements for declaring a state of emergency and any derogation, notably submitting immediate notification of a declaration of a state of emergency to the United Nations, including information on the provisions it has derogated from and the reasons for such measures.⁶

On the basis of Somaliland’s constitutional requirements, the behaviour of the Security Committees should be bound by international human rights law, including the ICCPR and the African Charter on Human and People’s Rights (African Charter). While the ICCPR (Article 4) permits states in very tightly-defined circumstances to take certain measures derogating from certain of their obligations under that treaty in times of public emergency, no such emergency has been declared in Somaliland.⁷ In any event, certain obligations under the ICCPR cannot be derogated from in any circumstances, even in time of public emergency. These include the obligation to respect and protect the right to life, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, and the right to freedom of thought, conscience and religion, the right not to be arbitrarily arrested or

detained, and fundamental elements of the right to fair trial including the presumption of innocence, as well as other norms of general international law.⁸

All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person. Moreover, the UN Human Rights Committee, the body of independent experts established under the ICCPR to monitor its implementation by states, has stipulated that the obligation to limit any derogations to those strictly required by the exigencies of the situation applies also to each specific measure, which must also reflect the principle of proportionality.⁹ Somaliland has, under Article 10 of its Constitution, also accepted obligations under the African Charter, which contains no such provision for derogation.

Amnesty International has also received information regarding the general lack of independence and overall capacity of Somaliland's national justice system, with many civil and criminal cases handled by local arbitration in what is often referred to as an "alternative justice system." In fact, Somaliland's legal system functions at several levels—under Islamic law (*Sharia*), traditional or customary law (*Xeer*), and statutory national law, depending on the location and circumstances of a case. On numerous occasions clan elders have simply resolved cases and returned their verdicts to the local or regional court for endorsement. While there are obvious oversight problems with this hybrid system, it has also been credited with the decreased application of the death penalty in Somaliland.

Still, according to the Custodial Corps of the Ministry of Justice in Hargeisa, 38 persons were convicted and sentenced to death in 2006 and 2007 in Somaliland. Nine persons were reportedly executed in 2006 and 2007 in Burao, Hargeisa and other locations. Amnesty International holds that the death penalty violates the right to life and is the ultimate cruel, inhuman and degrading punishment. It opposes the death penalty in all cases without exception regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to kill the prisoner.

B. FORCED RETURNS

In October 2008 Somaliland security officials reportedly forcibly returned an Oromo man, who had been granted political asylum under the Egal administration, to Ethiopia where he is believed to be held in detention near the Ethiopian town of Harar.

The Government of Somaliland detained without access to legal remedy, then returned, five Ethiopian men originating from the Somali region of Ethiopia (known as the Ogaden) from Hargeisa to Ethiopia in October 2007, in clear violation of international human rights law.¹⁰ They may still be held incommunicado in military custody in Jijiga, Ethiopia, where they are at serious risk of torture or other ill-treatment. They had allegedly been arrested at the request of Ethiopian authorities in Hargeisa.¹¹

Amnesty International has called on the Government of Somaliland to refrain from transferring anyone to the custody of another state unless that transfer is carried out under due process of law and in accordance with international standards, and not without the opportunity for the UN High Commissioner for Refugees (UNHCR) to have access to anyone who may be seeking asylum or protection.

Forced returns from Somaliland to Ethiopia represent a violation of Somaliland's obligations under the 1951 Convention relating to the Status of Refugees, as well as the UN Convention

against Torture and customary law. These actions and the reported presence of Ethiopian intelligence officials in Hargeisa have caused rampant fear among displaced persons fleeing southern and central Somalia and the Somali region and other regions of Ethiopia to Somaliland.

C. PRISONERS OF CONSCIENCE: JOURNALISTS AND FREEDOM OF EXPRESSION

Under Article 32 of Somaliland's Constitution, "Every citizen shall have the freedom, in accordance with the law, to express his opinions orally, visually, artistically or in writing in any other way." In addition, "the press and other media are part of the fundamental freedoms of expression and are independent. All acts to subjugate them are prohibited...."

Article 19 Section 2 of the ICCPR states "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

The Government of Somaliland has at times arbitrarily arrested journalists it perceives as having questioned its credibility or authority, detaining them for generally short periods of time.

On 5 September 2008 police arrested two Radio Las Anod journalists, Abdiasis Ahmed Suleyman and Mohamed Ali Elmi, reportedly for their criticism of administration policy in the region. They were detained for six days without charge.

Three journalists working for Somaliland's independent Haatuf Media Network were arrested and charged on 2 January 2007. The journalists were detained after publishing a number of articles beginning in November 2006 alleging corruption on the part of the president and his family. Editor Ali Abdi Dini was charged with "offending the honor or prestige of the Head of State" and "instigation to disobey the law." Editor-in-Chief Yusuf Abdi Gabobe was charged with "resisting a public officer" during his arrest. On 4 March 2007, Gabobe was sentenced to two years' imprisonment for "obstruction of a police officer," and Dini and Sheikh Ibrahim were sentenced to 29 months for "reporting false information about the government, discrediting the president and his family and creating inter-communal tension." On 29 March 2007 President Riyale issued a decree pardoning the three Haatuf journalists and they were released from Mandhera Prison.

D. PRISONERS OF CONSCIENCE: POLITICAL OPPOSITION FIGURES

Dr. Mohamed Gabose, Mohamed Hashi Elmi and Jamal Aideed, the leader and deputies of the political association *Qaran*, were sentenced on 19 August 2007 to three years and nine months' imprisonment and banned from political activities for five years on charges of "seditious assembly," on the grounds that they held illegal public political meetings. They refused to participate in their trial in the absence of their defence lawyers, who also refused to participate, claiming a fair trial was impossible. Amnesty International considered the *Qaran* leaders prisoners of conscience, arrested and charged solely due to their peaceful intentions to participate in their country's electoral process.¹²

Somaliland's constitution allows for the formation of political parties and protects freedom of assembly and association, but limits the legal number of national parties to three; those

which obtained the highest vote in the 2002 local elections are considered by the government the three “permanent” national political parties. This limit was established in order to avoid a multiplicity of parties created along clan lines, but no explicit provision was established to allow for new parties to emerge.

The three recognized parties which have been legally registered are: the ruling party of President Dahir Riyale Kahin, the United People’s Democratic Party (UDUB), the Justice and Welfare Party (UCID) led by Faisal Ali Hussein (Warabe), and Kulmiye (Unity) led by Ahmed Mohamed Silanyo.

Government officials argue that the debate over the legality of a fourth party is subject to judicial interpretation. However, no case has been brought before the courts, and Somaliland’s justice system, now under review and proposed reform, does not yet possess the capacity to address this issue.

Amnesty International was granted access to visit the *Qaran* leaders in Mandhera Prison in early December 2007. All three Qaran officials were released on 18 December 2007.

Amnesty International calls on the Government of Somaliland to respect, protect and promote human rights, in particular during the 2009 elections, including:

- The right to freedom of expression, which includes the right to receive information and ideas of all kinds; this requires a commitment by the government to respect the freedom of the press to enable it to carry out its role of providing information to the population of Somaliland.
- The right to freedom of association and peaceful assembly, and the right to take part in public affairs, freely and without fear.
- Freedom from discrimination on the grounds of clan, ethnicity or gender, or any other grounds.
- Freedom from arbitrary detention and right to fair trial
- The right to life, and freedom from torture and other cruel, inhuman or degrading treatment.

4. DISPLACED PERSONS IN SOMALILAND

Lack of governance, instability and armed conflict in southern and central Somalia has also taken a toll on Somaliland, while the presence of tens of thousands of displaced southern Somalis in Somaliland is some testament to the relative peace and security in this area of the volatile Horn of Africa.

Ongoing armed conflict in southern and central Somalia between Transitional Federal Government (TFG) and allied Ethiopian forces¹³ against multiple non-state armed groups, including *al-Shabab* factions and certain clan-based militias, has led to widespread and massive violence, causing the internal displacement of more than 1.3 million persons,¹⁴ and more than 450,000 refugees, from southern and central Somalia since the beginning of 2007.

There are at least six settlements of displaced persons in Somaliland's capital Hargeisa. These settlements originally emerged when displaced persons from northern Somalia, who had fled to Ethiopia and other countries as refugees, began to return from 1991. They have also been populated by impoverished members of indigenous ethnic minority communities.¹⁵ Now the settlements are also crowded with people who have fled southern Somalia, who have found relative security, albeit inadequate food, health care, education, shelter or jobs there. Somaliland officials have expressed concerns that without a formal registration process the government has no way of tracking displaced persons, and they have stated that they have received little international support to provide for displaced persons from Somalia. While the Government of Somaliland does not have an official policy of accepting displaced persons from Somalia, it has allowed tens of thousands to find refuge in its territory.¹⁶

We have been here [in Hargeisa] for three months now. One of my brothers was killed in front of me. I had to survive. I didn't have anywhere else to go. Peace is so precious, so dear. I have peace here. I want to go back but I can't.

Sadia, aged 26, from Mogadishu, now in Hargeisa

When they killed my husband [in Mogadishu] I didn't know what to do. I started screaming. But I have four kids. There was no one to help me. I was begging people to carry us with them. We got peace now [in Hargeisa] but nowhere to go and nothing to eat.

Hawa, aged 35

The status of displaced persons from southern and central Somalia who have fled to Hargeisa, the majority of whom are women with children, remains contested. In Somaliland, which functions without international recognition, UN agencies, like the Office of the UN High Commissioner for Refugees (UNHCR), and other international organizations classify them as internally displaced persons.¹⁷ The Government of Somaliland considers them

refugees.¹⁸ In practice this dispute has resulted in a lack of registration or services being provided. Based on its own constitutional commitment to uphold the 1951 Refugee Convention, and according to its overall responsibility to protect the physical integrity of people, the Government of Somaliland should protect displaced persons it may call refugees within the territory it controls.

The Government of Somaliland possesses primary responsibility for the protection of displaced persons in Somaliland. Under the UN Convention Relating to the Status of Refugees, refugees have the right to be treated as favourably as possible, and not less favourably than aliens generally in the same circumstances with regards to housing (Article 21), public education (Article 22) and public relief (Article 23). These duties have been strengthened by UNHCR executive committee general guidelines (including 108), which call on states to take steps to prevent acts of violence against refugees, safeguard their physical safety and to facilitate access to effective legal remedies.¹⁹



A camp for displaced persons, Somaliland © Amnesty International

However, when a state cannot or will not protect its own people, or where a country needs assistance, the international community also possesses a responsibility to help.²⁰ Whether or not this dispute over designation is soon resolved, the human rights of displaced persons must be protected, according to the spirit if not the letter of the law.²¹ Responsibilities to assist displaced persons attach to government and international agencies no matter how these individuals are categorized.

UNHCR is responsible for both refugees and IDPs, although which durable solutions are open to them is dependent on their categorization. The United Nations Guiding Principles on

Internal Displacement provide for the protection of internally displaced persons against acts of violence (principle 10) and their property and possessions (principle 21), and reaffirm the need for international humanitarian organizations and other actors to give due regard to the protection needs of the internally displaced when offering assistance (principle 27). These guidelines also provide for the provisioning of medical care and attention "to the fullest extent practicable," including psychological and social services" (principle 19) and the provisioning of free, compulsory primary level education (principle 23).

From October to December 2007, twenty-four young Somali journalists, including several women, who had been reporting for HornAfrik, Radio Simba, Radio Shabelle and other news outlets, also arrived in Hargeisa after receiving death threats or being detained in Mogadishu.²² These journalists were questioned in Hargeisa in December 2007 by several Somaliland government officials, who accused them of propagating "unionist" material on the internet,²³ and who threatened to expel them from Somaliland. Government officials also accused these individuals of "practicing journalism" in Somaliland and writing stories against "Ethiopian friends." A formal expulsion order was issued by Somaliland's Commissioner of Police on 4 December, giving them 24 hours to leave Somaliland. The deadline for the expulsion was extended several times. As a result of the expulsion order the journalists were at risk of forcible return to Somalia.

Article 35 of Somaliland's Constitution states that "Any foreigner who enters the country lawfully or is lawfully resident in the country and who requests political asylum may be accorded asylum if he fulfils the conditions set out in the law governing asylum." Somaliland authorities are also obligated to follow customary rules of international law. Under customary law, codified in the United Nations Convention Relating to the Status of Refugees (1951), Article 33, "No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."

Although the order to expel the displaced journalists was not formally rescinded, after international protest against it, the government agreed in December 2007 that no expulsion would take place as long as these journalists refrained from "practicing journalism" in Somaliland. Most of them later left for other countries, where some of them have sought asylum.

5. HUMAN RIGHTS IN EASTERN SOMALILAND

In the eastern regions of Sool and Sanaag, bordering the semi-autonomous Puntland Region of Somalia, there has been sporadic armed conflict over control of the area.

In any armed conflict, whether international or non-international, applicable rules of customary international humanitarian law are binding on all parties, irrespective of their status—that is, whether they are the armed forces of states (which are party to international treaties) or non-state armed groups. The cornerstone of international humanitarian law is the principle of distinction, which requires that parties to the conflict must at all times distinguish between civilians and combatants and direct their operations only against military objectives. These rules prohibit indiscriminate attacks, which strike military objectives and civilians or civilian objects without distinction, and disproportionate attacks, which cause civilian deaths or injuries which are excessive in relation to the military advantage anticipated. International humanitarian law also requires the humane treatment of civilians and combatants who are no longer taking part in the fighting because they have been captured or are sick or injured. It prohibits violence to life and person, particularly murder, mutilation, cruel treatment, and torture.²⁴ Other rules of customary international law prohibit pillage (the forcible taking of private property from the enemy's subjects for private or personal use) and arbitrary deprivation of liberty.²⁵

In November 2007 sporadic fighting between local Dulbahante sub-clan militias²⁶ escalated into armed confrontation between Somaliland and Puntland forces. The fighting was concentrated in Las Anod, the regional capital of Sool, close to the southernmost part of the border. Amnesty International received reports that both sides appear to have taken precautions to avoid operations in civilian populated areas in and around Las Anod, although reports revealed that human rights abuses and breaches of international humanitarian law were committed by both sides. These include reports of several incidents of rape and other physical attacks and pillage, all of which reportedly targeted civilians accused by either side of collaborating with the other.

During the fighting, tens of thousands of people (up to half the population of Las Anod) fled and were displaced to Buhodle and Burao in Somaliland, and Garowe in Puntland, largely according to sub-clan affiliation. Many of those displaced have not received adequate humanitarian assistance, including for voluntary return. Many of those displaced have expressed fear of returning, because they had supported Puntland forces, which lost control of the disputed territory. Under UNHCR guidelines, any return of refugees or internally displaced people must take place voluntarily, after an informed decision, and under conditions of physical and legal safety including protection against attack, non-discrimination and in circumstances of economic opportunity and material security including education, housing and land.²⁷

In early July 2008 fighting between Somaliland and Puntland forces broke out in the area of Las Qorey in Sanaag, along Somaliland's northeastern border with Puntland. Reports are unclear as to how many civilians were killed, injured or displaced from the area at that time.

Amnesty International calls on all parties to conflict in the region to respect international humanitarian law and ensure protection of civilians, and in particular to respect the principle of distinction, to direct their operations only against military objectives and never to attack civilians or civilian objects, or to carry out indiscriminate or disproportionate attacks.

The Regional and National Security Committees described above have reportedly carried out scores of arbitrary arrests and unlawful detentions in these volatile regions of eastern Somaliland. While international humanitarian law provides for the detention of prisoners of war for the duration of an international armed conflict between two states parties to the Geneva Conventions, there is no such provision with regard to non-international armed conflicts. In any event, obligations on states under international human rights law, including the prohibition on arbitrary detention and fundamental elements of the right to fair trial, continue to apply in times of armed conflict.²⁸

The threat of sporadic armed conflict between the forces of Puntland and Somaliland continues to impact the human rights of people throughout the area. Due in large part to security concerns, most people in Sool and eastern Sanaag were not able to take part in two previous presidential and parliamentary elections in 2003 and 2005, respectively. Respect for the right to freedom of expression and to receive information of all kinds, which includes press freedom, in these areas will also be critical in the lead up to, during and following the scheduled 2009 elections.

6. SOMALILAND UNDER INTERNATIONAL LAW

Somaliland's highest policy priority is the pursuit of national self-determination. It continues to seek international recognition of its self-declared independence, which to date has not been recognized by any other state. Amnesty International takes no position on states' claims to international recognition, but seeks to ensure that governments which exercise de jure or de facto authority respect and protect human rights. However, it does acknowledge Somaliland as being governed by de facto²⁹ state authorities, who have made the pursuit of national self-determination their highest policy priority.³⁰ Amnesty International does not engage in this particular debate over Somaliland's international status, but rather expresses concern about the respect and protection of human rights in Somaliland.

As the de facto authority, the Government of Somaliland has a responsibility to respect and protect human rights. Primary responsibility for the protection of human rights in Somaliland rests with the Government of Somaliland as established in its own Constitution, which provides, among other things, for the right to life and security of every person, freedom from torture and extrajudicial killings and mutilation as criminal offences (Article 24), and freedom of expression, freedom of peaceful assembly and press freedom (Article 32).

Article 21 states explicitly that the articles relating to fundamental rights and freedoms contained in the Constitution "shall be interpreted in a manner consistent with the international conventions on human rights... and that the legislative, executive and judicial branches of the state and the local government of the regions and the districts, at all levels, shall be bound by these provisions."

Furthermore, Article 10 states that "The Republic of Somaliland shall observe all treaties and agreements entered into by the former state of Somalia with foreign countries or corporations provided that these do not conflict with the interests and concerns of the Republic of Somaliland" and "the Republic of Somaliland recognises and shall act in conformity with the United Nations Charter and with international law, and shall respect the Universal Declaration of Human Rights."

Specifically, therefore, Somaliland has, in its Constitution, directly expressed its commitment to international human rights, humanitarian and refugee law. On the basis of its own Constitution, the Government of Somaliland is bound to these international laws, out of which specific obligations may arise. Specifically, the Government of Somaliland has directly expressed its commitment to all treaties ratified by Somalia prior to 1991, which include the International Covenant on Economic, Social and Cultural rights, the International Covenant on Civil and Political Rights (and Optional Protocol I which provides for individual petition to the UN Human Rights Committee), the Convention Related to the Status of Refugees, the Convention against Torture, and the African Charter on Human and Peoples' Rights.

Beyond its own constitutional obligations, Somaliland is, like every other government entity, responsible for complying with universal norms of human rights in customary law as reflected in the Universal Declaration of Human Rights.³¹

With international attention focused on armed conflict in southern and central Somalia,

Somaliland's adherence to international human rights laws and norms has often escaped close international scrutiny. Moreover, its unrecognized status means that it has not been subject to the regular monitoring and reporting regimes established under the international human rights treaties.³²

7. DEFENDING HUMAN RIGHTS IN SOMALILAND

Some Somaliland government officials have admonished advocates of human rights in Somaliland because, they say, these rights distract from Somaliland's claim to international recognition. They argue that human rights include collective rights, and that international recognition of self-determination is the most essential collective right in Somaliland today.

Other Somalilanders, many within civil society, urge international organizations and major donor countries to focus attention on the need for demonstrated improvements, to respect, protect and promote human rights for people throughout Somaliland, including journalists, human rights defenders, minorities and other vulnerable groups. They insist that the Government of Somaliland must take clear steps to protect individual human rights in order for their claim, and economic assistance, to be given serious attention by the international community.

Amnesty International asserts that the Government of Somaliland must meet its obligations to respect, protect and promote the individual human rights of all people in Somaliland no matter its international status.

Somaliland's human rights defenders and other civil society actors have advanced the rights of journalists, pastoralists, minority groups, displaced persons, the disabled, prisoners, women, children and other vulnerable populations in Somaliland—with very little international financial support. Human rights defenders have frequently faced the risk of arrest or harassment while exposing human rights violations, since their actions have at times been perceived as spoiling efforts toward international recognition for self-determination, considered by the government to be a collective right superseding all others. Under Article 23 of Somaliland's Constitution, "All citizens have the right to form, in accordance with the law, political, educational, cultural, social, and occupational or employees' associations," but registration for civil society organizations was reported to have become increasingly difficult in 2007 and 2008.



A meeting of the Guurti, the House of Elders, in May 2007 © Amnesty International

The Upper House of Parliament, the House of Elders or *Guurti*, maintains a Committee on Human Rights. Members of this committee have told Amnesty International that it functions as an oversight body to monitor the human rights record of the executive branch, as well as adherence by individuals and institutions to “individual and collective human rights,” perceived to include the right to self-determination for Somaliland.

A Human Rights Commission (HRC) has also been formed as a body intended to monitor and ensure the transparency and accountability of actions taken by the executive, judicial and legislative branches of government and their officials. Amnesty International observed the HRC championing the interests of several groups of individuals whose rights had been violated in late 2007. However, the HRC appears to have limited independence from government influence to fulfil its oversight mandate. While an interim chairman was appointed, the exact configuration of the HRC, its staff and mandate remain unclear, and Amnesty International hopes that it will develop in a way that enables it to function independently of government bodies.

In the non-profit sector, prior to 2007, the Somaliland Human Rights Organization Network (SHURO-Net) frequently played a pivotal role in organizing and coordinating independent rights groups and activities in Somaliland. In 2007 a dispute between leaders of different member organizations within the network resulted in a split. This dispute followed a period during which SHURO-Net had been particularly vocal in its criticisms of Somaliland government actions which it considered to violate human rights. Government officials inappropriately assisted in the seizure and transfer of property from the old to new leadership of this formerly prominent human rights coalition.

There is clearly room for increased engagement on human rights issues in Somaliland. In its July-August 2008 Preliminary Human Rights Assessment on Somalia, the Office of the High Commissioner for Human Rights noted:

There is an obvious need for engagement with “Somaliland”, despite and beyond the issue of recognition of its sovereignty. “Somaliland” is in dire need of attention with regard to capacity building, awareness-raising, and technical advice on several human rights issues. This programme can be designed in cooperation with the local authorities, active civil society organizations and other UN agencies and international organizations. Strengthening operations in “Somaliland” can help gather information regarding the situation in the south and central regions of the country... also by engaging the local NGO community, which demonstrated a keen interest in contributing to foster accountability and an end to impunity also in the rest of Somalia.³³

8. CONCLUSION: NOT YET EQUAL JUSTICE UNDER LAW AS ELECTIONS APPROACH



Driving into downtown Hargeisa from Egal Airport one crosses a bridge over an often dry riverbed, near the Hadhwanaag Hotel. Over the bridge is a gate, and on the gate are printed the words: "Equal Justice Under The Law". While this aspiration is admirable, Amnesty International calls for further steps towards its full achievement. © Amnesty International

While overall human rights and humanitarian conditions have continued to worsen in southern and central Somalia, as well as in Puntland, a stable Somaliland has devoted attention to democratization, institutional capacity-building, stability and development in its 18-year pursuit of international recognition of self-declared independence. While Amnesty International takes no position on Somaliland's claim to independence, the international community should provide the de facto authorities of the Government of Somaliland with necessary support to promote the rights of its people, and to ensure its capacity to firmly establish broad human rights protections.

Somaliland is not without its own set of human rights concerns. Its border with Puntland remains contested, with several outbreaks of armed conflict resulting in human rights violations against the local population since late 2007. The economic, social and cultural

rights of the people of Sool and Sanaag have received insufficient attention.

The government's use of the National and Regional Security Committees presents cause for concern as it has led to the abuse of human rights, particularly since the suicide bomb attacks carried out in Somaliland in late 2008.

In 2007 and 2008 the Government of Somaliland briefly held several journalists and opposition leaders in prison, and Amnesty International maintains concerns about the need to ensure the protection of freedom of expression during the 2009 presidential and local elections.

Despite a lack of international assistance, the Government of Somaliland has provided refuge for tens of thousands of southern Somali displaced persons fleeing massive human rights violations in and around Mogadishu. But some of these vulnerable individuals have since fled Hargeisa, due to lack of assistance, as well as threats to their liberty which they feel have arisen amidst increasing national security measures.

While Somaliland has undeniably made demonstrable strides to protect and provide for its population and to build human rights, there is not yet equal justice for all people within its territory. Amnesty International encourages the Government of Somaliland, particularly during 2009 elections to respect, protect and promote human rights throughout Somaliland.

9. RECOMMENDATIONS

Amnesty International appreciates opportunities it has had to present its concerns directly to Somaliland government officials, and the positive actions they have taken to address some of the concerns which were raised. It hopes to see further improvements in human rights protections carried out by the Government of Somaliland in the future in line with its recommendations.

For the Government of Somaliland

- Re-engage, by means of transparent and accountable processes in consultation with civil society, to build judicial capacity and the rule of law, and to ensure that trial processes comply with international standards.
- Bring current Somaliland laws and practices in line with international human rights, refugee and humanitarian law, as required under the Constitution.
- Release all prisoners of conscience immediately and unconditionally.
- Release prisoners currently detained incommunicado for prolonged periods without trial under orders of the National or Regional Security Committees, or immediately charge them with recognizable offenses, and ensure that they have a prompt and fair trial which complies with international fair trial standards. Allow them access to their families, lawyers and any medical care they may require.
- Reform the National and Regional Security Committees to bring them in line with Somaliland's Constitution and international human rights standards, and make them subject to judicial oversight, or dismantle them.
- Refrain from transferring in any manner anyone to the custody of another state unless that transfer is carried out under judicial supervision, in accordance with international standards, and only after any such person who is seeking protection has had access to UN High Commissioner for Refugees (UNHCR) and the opportunity to apply for asylum.
- Reaffirm its commitment, as expressly stated in the Constitution, to respect and protect the rights to freedom of expression—including the rights to receive information of all kinds and press freedom, freedom of association and assembly for everyone in Somaliland, including in particular journalists, political opposition figures and human rights defenders throughout Somaliland.
- Protect displaced persons fleeing threats of grave human rights abuses in southern and central Somalia and throughout the region.
- Take demonstrable steps to protect the human rights of people throughout Somaliland, including economic, social and cultural rights in the disadvantaged regions of Sool and Sanaag.

- Ensure that elections are free from political violence and human rights abuses.

For All Parties and Party Leaders

- Include a commitment to human rights in party platforms, and jointly and publicly commit to uphold human rights and strengthen human rights protections.

For Election Period Observers

- Make human rights monitoring a key aspect of election period observation.

For UN Bodies and Agencies

- Provide emergency and other humanitarian assistance as necessary to displaced persons from southern and central Somalia seeking refuge in Somaliland.
- Allocate sufficient resources to the Office of the United Nations High Commissioner for Human Rights to establish an office in Hargeisa and to effectively monitor and report on human rights throughout Somaliland.
- Actively support networks of human rights defenders throughout Somaliland as well as Somalia.

For the International Community, including donor governments and international organizations

- Provide greater international attention and support to the de facto authorities of the Republic of Somaliland—both in the context of the Horn of Africa and in relation to its own domestic human rights and related issues.
- Support the further establishment and development of measures and institutions for human rights protection, police and security sector reform and oversight, and judicial capacity building in Somaliland. Such assistance need not address the question of international recognition, but would provide the support the Government of Somaliland needs to protect human rights for all people in the area which it controls.
- Support the establishment of measures to ensure the rule of law and freedom of expression, including press freedom, association and assembly in Somaliland, by providing necessary assistance to human rights institutions and civil society.
- Use all available diplomatic means to respond to actions taken by de facto authorities of the Government of Somaliland that threaten or violate human rights, and to urge the

government to comply with its declared commitment to uphold international human rights standards.

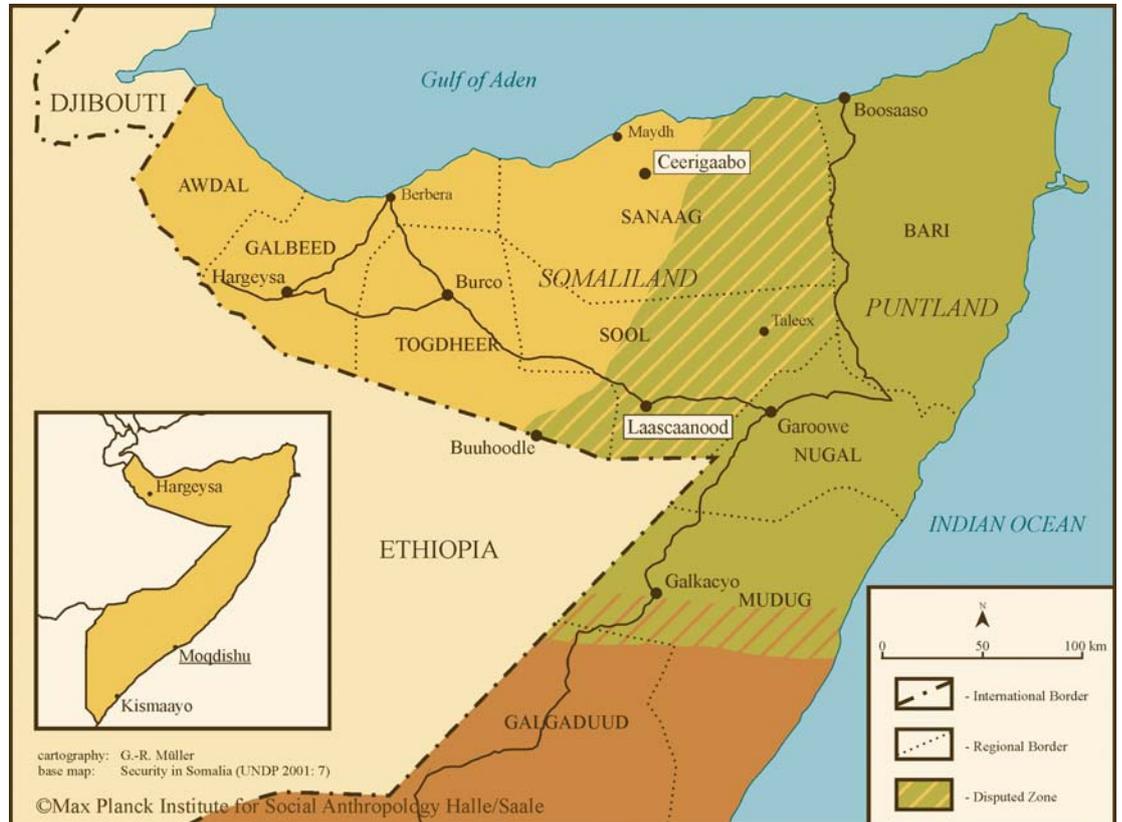
- Support efforts to provide emergency humanitarian assistance programs that would meet the needs of vulnerable Somalis in Somaliland, in Somalia and throughout the region.
- Support development assistance programs to protect the economic, social and cultural rights of people throughout Somaliland.

APPENDIX I



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APPENDIX II



End Notes

1 Somaliland had, until early 2008, consisted of the regions of Awdal, Woqooyi Galbeed, Togdheer, Saahil, Sanaag and Sool. Somaliland's President has since altered this configuration.

2 In addition other several minor bombings took place in 2008, resulting in civilian injuries in Hargeisa. These include small detonations at the Guurti office and the office of a cabinet minister, although it is unclear who carried out these attacks.

3 Amnesty International, Somalia (Somaliland/Puntland): Amnesty International condemns bomb attacks in Hargeisa and Bossaso, (AI index: AFR 52/018/2008).

4 For example, a prominent Somali journalist and a prominent Somali human rights advocate were detained in the wake of the suicide bomb attacks in October, but were released within days.

5 The court system in Somaliland has an insufficient number of professionally trained personnel, including lawyers and judges. It also lacks the basic resources necessary to hire staff or provision its offices.

6 Article 4, ICCPR, Human rights Committee General comment No, 29, para. 17

7 Article 4 of the ICCPR provides that in time of public emergency which threatens the life of the nation, and which is officially proclaimed and notified to the UN, states can take measures derogating from certain of their ICCPR obligations, but only to the extent strictly required by the exigencies of the situation and so long as such measures are not inconsistent with their other international legal obligations.

8 Any suspension of fair trial rights by a state must be strictly required by the situation. The principle of proportionality requires that the suspension of obligations must be reasonable in light of what is necessary to address an emergency threatening the life of the nation. It also requires that the necessity of the derogation must be reviewed at regular intervals by the legislative and executive branches.

9 Human Rights Committee, General comment No 29, states of emergency (Article 4 of the ICCPR), UN Doc. CCPR/C/21/Rev.1/Add.11, 31 August 2001

10 Amnesty International, Somaliland: Fear of torture/Incommunicado detention/forcible return , (AI index: AFR 25/026/2007);

11 The Ogaden National Liberation Front (ONLF) has been engaged in continual armed conflict against the Ethiopian armed forces in the Somali Region of Ethiopia for the past 14 years. Since May 2007, when the ONLF attacked a Chinese oil installation, and Ethiopian military operations mounted, Ogadeni refugees fleeing human rights violations have increasingly sought safety in Somaliland.

12 Amnesty International, Somaliland: Opposition party leaders jailed after unfair trial, defence lawyers fined and banned from practising, (AI index: AFR 52/014/2007).

13 Ethiopian troops were withdrawn from Somalia by the end of 2008.

14 Office for the Coordination of Humanitarian Affairs (OCHA) figure. This includes some 3-400,000 long term Internally Displaced People (IDPs).

15 Extra-clan minorities in Somaliland include the Dami, Tumul, Midgan, Yibr and others. These traditionally caste-based groups have historically experienced economic, social and political discrimination in Somaliland and throughout Somalia.

16 There is no official figure for southern Somali displaced persons in Somaliland, but the government estimate, widely considered high, puts the total population of Somaliland at 3.5 million. This means that any major influx can be expected to have a serious impact.

17 According to the UN Guiding Principles on Internal Displacement (<http://www.unhcr.ch/html/menu2/7/b/principles/htm>), internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.

18 Under Article 1(a)(2) of the 1951 Refugee Convention, a refugee is a person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

19 According to the UN Guiding Principles, Principle 3: (1) National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction; and (2) Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request. According to Principle 25: (1) The primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities. (2) International humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced. Such an offer shall not be regarded as an unfriendly act or interference in a State's internal affairs and shall be considered in good faith. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance. (3) All authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced.

20 UN Guiding Principles on Internal Displacement.

21 UNHCR's core mandate, as set out in Statute of the Office of the United Nations High Commissioner for Refugees, G.A. res. 428 (V), annex, 5 U.N. GAOR Supp. (No. 20) at 46, U.N. Doc. A/1775 (1950)), is to provide, on a non-political and humanitarian basis, international protection to refugees and to seek permanent solutions for them. While

the Statute makes no reference to IDPs, it recognises in Article 9 that the High Commissioner may also “engage in such activities ... as the General Assembly may determine, within the limits of the resources placed at his disposal.” Based on this Article, a series of UN General Assembly Resolutions have acknowledged UNHCR’s particular humanitarian expertise and encouraged its involvement in situations of internal displacement. The main criteria governing the organisation’s involvement with IDPs are set out in Resolution 53/125 of December 1998, in which the General Assembly “reaffirms its support for the role of the Office of the High Commissioner in providing humanitarian assistance and protection to internally displaced persons, on the basis of specific requests from the Secretary-General or the competent organs of the United Nations and with the consent of the State concerned, taking into account the complementarities of the mandates and expertise of other relevant organisations....”

22 Amnesty International, Somaliland: Journalists who fled grave human rights violations in Mogadishu under threat of expulsion, (AI index: AFR 52/017/2007).

23 This refers to reporting which is seen to promote Somaliland’s reunification with Somalia and to oppose international recognition of Somaliland as an independent state.

24 Article 3 common to the four Geneva Conventions of 1949. See also Jean-Marie Henckaerts and Louise Doswald-Beck, Customary International Humanitarian Law. Cambridge University Press, 2005, (ICRC Study), Rules 90-93.

25 ICRC Study, Rule 52, Rule 99.

26 Dulbahante people are traditionally nomadic. While their sub-clans in recent years have tended to divide over support for the governments of Somaliland and Puntland, they often maintain ties to the land and communities on both sides of the border.

27 UN High Commissioner for Refugees, Handbook - Voluntary Repatriation: International Protection, 1 January 1996. <http://www.unhcr.org/refworld/docid/3ae6b3510.html> [accessed 18 February 2009], And Inter-Agency Standing Committee, Benchmarks for Durable Solutions for Internally Displaced Persons, March 2007 [http://www.reliefweb.int/rw/lib.nsf/db900sid/AMMF-727CX9/\\$file/iasc-idp-mar2007.pdf?openelement](http://www.reliefweb.int/rw/lib.nsf/db900sid/AMMF-727CX9/$file/iasc-idp-mar2007.pdf?openelement) [accessed 18 Feb 2009]

28 “[T]he protection offered by human rights conventions does not cease in case of armed conflict, save through the effect of provisions for derogation of the kind to be found in Article 4 of the International Covenant on Civil and Political Rights.” International Court of Justice, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion of 9 July 2004, ICJ reports 2004. “[T]he Covenant applies also in situations of armed conflict to which the rules of international humanitarian law are applicable. While, in respect of certain Covenant rights, more specific rules of international humanitarian law may be especially relevant for the purposes of the interpretation of Covenant rights, both spheres of law are complementary, not mutually exclusive.” Human Rights Committee, General Comment 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant, para 11.

29 Somaliland has functioned under de facto authorities since its separation from Somalia in 1991, despite its lack of international (de jure) recognition, under a constitutional democracy to which standards it can be held.

30 According to United Nations resolutions and international covenants on human rights, “all peoples have the right of self-determination. By virtue of [that] right they freely determine their political status and freely pursue their economic, social and cultural development.” Rooted in Chapters XI and XII of the United Nations Charter regarding non-self-governing territories, references to self-determination are included in numerous resolutions and declarations of the UN and other international bodies. The exact content of this right, and the means of its realization, however, are not clearly defined in international law. The UN Declaration on Principles of International Law concerning Friendly Relations among States in accordance with the charter of the UN notes the establishment of an independent state as one of the means by which the right of self-determination can be implemented, while also asserting the principle of territorial integrity of states. The right of self-determination can also be implemented within an existing state framework, by means of political arrangements such as federal structures or various forms of political autonomy.

31 The norms affirmed in the UDHR have greatly contributed to the comprehensive compilation of legal principles and ideals of human rights. Its consistent citation and application as a source of international human rights norms before international and national tribunals is proof of this contribution. Many states have incorporated or drawn on the UDHR as a model for their constitutional and other legislative acts. Many authorities have therefore concluded that the document contains, at least in part, norms of customary international law.

32 Somaliland Law at <http://www.somalilandlaw.com/>, accessed 18 February 2009,

33 OHCHR Preliminary Human Rights Assessment on Somalia Mission Report, 19 July- 2 August 2008, para 54.



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HUMAN RIGHTS CHALLENGES SOMALILAND FACING ELECTIONS

While the human rights situation and humanitarian conditions continue to deteriorate in southern and central Somalia, Somaliland has maintained basic security and stability, and generally tried to uphold human rights. It has carried out local, parliamentary and presidential elections in its 18-year pursuit of international recognition of its self-declared independence. The international community needs to support Somaliland to strengthen human rights protections and maintain peace, stability and economic development.

Somaliland is not without its own human rights concerns. Its border with Puntland remains contested, and several outbreaks of armed conflict since late 2007 have resulted in human rights violations against the local population. The government's National and Regional Security Committees lack transparency. They have reportedly been used to carry out arbitrary arrests and detentions, particularly since a series of suicide bomb attacks in Somaliland in late 2008.

Although thousands of displaced Somali civilians fleeing armed conflict in and around Mogadishu have sought refuge in Somaliland, some have also fled Somaliland due to threats made against them and lack of assistance from government authorities and aid agencies. The government of Somaliland has not yet fully established many human rights protections, including those ensuring freedom of expression for civil society and freedom of the press. It has also at times rolled back individuals' rights in the name of national security.

While Somaliland has made progress in ensuring respect for human rights, there is not yet justice for all Somalis within its territory. Amnesty International urges the government of Somaliland, particularly during and after the 2009 elections, to address the human rights concerns raised in this report.

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